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October 24, 2018

ADMITTED IN  
NY, NJ, PA, IL, DC

**VIA ECF**

Hon. Alison J. Nathan, U.S.D.J.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2102  
New York, NY 10007

**Re: Baten v. St. Mina NSYJ Inc.. d/b/a La Trattoria., et al.**  
***Case Number 18-cv-3248 (AJN) (SDA)***

Dear Judge Nathan:

We represent plaintiff Fernando Baten in the above-referenced matter and write, pursuant to Your Honor's October 22 Order, to confirm that plaintiff has made the determination not to seek conditional certification.

We thank the Court for its attention to this matter and are available at Your Honor's convenience in the event that the Court has any questions.

Respectfully submitted,



David Stein

cc: Ge Qu, Esq. (via ECF)